

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

WIZKIDS CREATIONS CO.,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
SEPTA TRANSPORTATION, <u>et al.</u> ,	:	
	:	NO. 02-3249
Defendants.	:	

**O R D E R.**

AND NOW, this        day of        , 2002, upon consideration of the Motion to Dismiss filed by defendant, Southeastern Pennsylvania Transportation Authority ("SEPTA"), and any response thereto, it is **ORDERED** that defendant's Motion is **GRANTED** and plaintiff's Complaint is **DISMISSED** with prejudice.

**IT IS FURTHER ORDERED** that Larry Hackney shall be required to reimburse SEPTA for the attorneys' fees and costs incurred by it in filing its Motion to Dismiss as a sanction for his violation of this Court's Orders dated April 28, 1992, and April 25, 1997. SEPTA shall file a bill of costs within 10 days of the date of this Order, which shall be paid within 10 days by Hackney unless he files properly based objections within that time.

**IT IS FURTHER ORDERED** that Larry Hackney, either individually or through any other entity which he controls, has an ownership interest in or serves as a partner, officer or director, is **ENJOINED** from filing any complaint against any person, corporation or other entity for any claims alleging copyright infringement of the "Flying Carpet" a/k/a "at Flying Carpet" or "People Mover," as well as any Motion seeking leave to file in forma pauperis, without first seeking authorization of

the Court in which the plaintiff seeks to file. In seeking such authorization, Larry Hackney shall abide by the Order of this Court in Hackney v. Lehrer McGovern Bovis of Pennsylvania, et al., 1997 U.S.Dist.LEXIS, Civil Action No. 97-1015 (E.D.Pa., April 25, 1997), certify that the claims he wishes to present are new claims, never before raised and disposed of on the merits by any federal court. Upon a failure to certify or upon a false certification, plaintiff shall be found in contempt of Court and punished accordingly. At the time of filing, Larry Hackney also must submit, under oath, a statement setting forth each and every fact he would present at trial supporting his claim of infringement. In addition to the certification required by this Court's prior Orders, Larry Hackney shall attach to any such proposed complaint a copy of this Order and accompanying Memorandum, a copy of the Memorandum and Order of this Court in Civil Action No. 97-1015 dated April 25, 1997, a copy of the complaint filed in this case, and a copy of the complaints filed in Civil Action Nos. 92-421 and 97-1015. If Larry Hackney fails to abide by the terms of this Order and the Order of this Court dated April 25, 1997, in Civil Action No. 97-1015, he shall again be found in contempt of Court and further sanctioned.

BY THE COURT:

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The Honorable Herbert J. Hutton, J.